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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,613	12/14/2005	Pietro Bigoni	377/9-2179	7269

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WILLIAM J. SAPONE
COLEMAN SUDOL SAPONE P.C.
714 COLORADO AVENUE
BRIDGE PORT, CT 06605

EXAMINER	
MILLER, SAMANTHA A	

ART UNIT	PAPER NUMBER
3749	

DATE MAILED: 12/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/560,613	BIGONI, PIETRO	
	Examiner	Art Unit	
	Samantha A. Miller	3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 December 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 December 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12/14/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Szatmary (Pat. 5,997,399). Szatmary teaches in the specification and Figs.1- 6 an invention in the same field of endeavor as applicant's invention that is described in the applicant's claims.

Szatmary teaches an enclosing structure (10),in particular for enclosing and isolating a packaging machine from the outside environment, the structure including: enclosing panel-shaped means (12), the panel-shaped means (12) including at least one separating surface defining panel (12) defining at least one separating surface (84) for separating two different environments (ambient air, clean purified air) (col.6 ll.15-22); conveying means (22) for conveying flows of purified air (40, 41, 70), associated to the separating surface defining panel (12) to form, together with the separating surface defining panel (12), a fluid-dynamic barrier avoiding contamination between one environment (clean purified air) and the other environment (ambient air) (col.3 ll.35-44 and ll.51-60, col.4 ll.60-63); the structure being characterized in that the panel (12) is defined by a first panel (36) and second panel (vertical side of 82), suitably air-tight assembled together' and fastened to a frame (26) at a prefixed distance, to form an

intermediate space (18, 20, 72), inside which a flow of purified compressed air (40, 41, 70) circulates(col.2 l.57, col.3 ll.1-4 and ll.51-56, col.5 ll.16-19); the first panel (36) being turned toward the inner isolated environment (clean purified air),defining with the intermediate space (18, 20) at least one conveying channel (38 to 34), which communicates with the inner environment (clean purified air) and through which a flow of purified air (41, 40) passes, directed solely toward the inner environment (clean purified air); and the second panel (vertical side of 82) being turned toward the outer environment (ambient air), defining with the intermediate space (72) at least one conveying channel (64 to bottom of 84 shown in Fig. 1), which communicates with the outer environment (ambient air), and through which a flow of purified air (70) passes, directed solely toward the outer environment (ambient air).

The panel (12) defines an inner environment (clean purified air) of the structure (10), substantially closed and isolated from an outer environment (ambient air) (col.2 ll.1-2).

The conveying channels (38, 34, 64, bottom of 84) are situated near at least one end edge of the panel (12) (Fig. 1).

The panel (12) is defined by at least one wing (35 to right side of 82, 35 to left side of 82), suitably hinged to an upright (64, 36) of the structure (10); the wing having diverting baffle plates (24 to the left of 35, 24 to the right of 35) situated in the intermediate space (18, 20, 72) for facilitating conveyance of the flow of purified air (41, 40, 70) toward the conveying channels (35, 38, 64, bottom of 84) (Fig.1).

The panel (12) includes two wings (middle off 35 to right side of 82, middle of 35 to left side of 82), joining at an intermediate area (18); a channel (38) being defined by lateral opposite edges of the wings in the intermediate area (18); the channel (38) communicating with the intermediate space (18, 20, 72) of each of the wings by at least one first slot (38) between the frame (26) and the first panel (36), and by at least one second slot (68) between the frame (26) and the second panel (vertical side of 82); with a flow of purified air (70) circulating through the second slot (68), directed solely from the intermediate space (72) to the outer environment (ambient air); and with a flow of purified air (41) circulating through the first slot (38), directed solely from the " intermediate space (18) to the inner isolated environment (clean purified air) (Fig.1).

The wing (middle off 35 to right side of 82, middle of 35 to left side of 82) includes at least one inspection aperture (42) made in a hermetic shutter (44) (shown to open and close in Figs. 1 and 5); the aperture (42) having isolating pneumatic means (40) coupled thereto, to create another fluid-dynamic barrier (as an air curtain) extending along the whole length of the aperture (42) (col.3 ll.38-45 and 53-57).

The isolating means (40) include at least one first conduit (35) and at least one second conduit (34), situated on opposite sides of the aperture (42); the first conduit (35) having a series of nozzles (formed in duct 36 as holes 38) delivering compressed purified air directed to the second conduit (34), which is aimed at sucking the air coming from the nozzles of the first conduit (35) (col.3 ll.38-45 and 53-57) (Figs.1 and 5).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. As listed on PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samantha A. Miller whose telephone number is 571-272 9967. The examiner can normally be reached on Monday - Thursday 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Josiah Cocks can be reached on 571-272-4874. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Samantha Miller
Examiner
Art Unit 3749
12/1/2006

JOSIAH C. COCKS
PRIMARY EXAMINER